



The Law Offices of
Shlomo H. Hecht, P.A.

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December 15, 2022

HYC Logistics, Inc
2600 Thousand Oaks Blvd, STE 1350
Memphis, TN 38118

562 Express Inc
500 Dorothy Dr
Fullerton, CA 92831
USDOT Number: 2801325

562 Express Inc
3958 Atlantic Ave
Long Beach, CA 90807

Re: DEMAND FOR RETURN OF CONTAINERS

Dear HYC Logistics, Inc and 562 Express, Inc,

I represent OJ Commerce, LLC (“OJC”). I am contacting you – HYC Logistics, Inc (“HYC”) and 562 Express Inc (“562”) (collectively, “defendants”) – about a very serious criminal issue related to your felonious theft of containers and your holding them hostage until OJC completely capitulates in an unrelated invoice dispute between the parties.

At issue are 9 OJC containers that were stolen by you, between December 13 and December 15. A detailed list of these containers with their precise pickup times is attached as Exhibit A.

On December 13, 2022, prior to you picking up the 9 containers identified above, OJC terminated its service contract with HYC. In doing so, OJC specifically advised HYC that all scheduled pickups were to be canceled, and explicitly revoked any agency relationship or other authority for HYC related to those containers. Copies of these cancellation and revocation emails are attached as Exhibit B.

Ex. C



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Nonetheless, despite OJC's explicit revocation, defendants (i) ignored OJC's instructions and raced to pick up those 9 containers with no authority whatsoever and with the criminal intent to deprive OJC of their use, (ii) demanded payment in the amount of \$307,310.00, and (iii) held OJC's containers hostage, stating that HYC would do so until its demands are met. A copy of the demand email is attached as Exhibit C.

Such actions, at a minimum, constitute a Class B Felony under Tennessee law, First Degree Grand Theft Felony under Florida law, as well as Grand Theft Felony under California law, as well as conspiracy charges. It also justifies federal felony charges based on your interstate criminal activity. In the event you attempt to sell these containers, as you threaten, you will be dealing in the sale of stolen property, and your resulting criminal and civil liability will only continue to escalate. Moreover, given the timing of your felonious conduct, thousands of customers are being denied their holiday gifts and not receiving them on time will cause millions of dollars in reputational damages to the OJC brand, for which you will be solely responsible.

In your demand, HYC refers to paragraph 14 of an NCBFAA Terms & Conditions of Service agreement, titled General Lien and Right To Sell Customer's Property. However, that provision neither justifies nor authorizes outright felonious conversion and theft of OJC's containers, especially since the 9 containers you converted were obtained by willful fraud. Additionally, since OJC explicitly canceled and revoked any authority to act as its agent on the service agreement prior to the pickup of these containers, the paragraph thereof is inapplicable to the issue at hand.

In addition, in your demand, HYC references additional charges for chassis and per diem. Such a demand is only adding insult to injury and only making your liability more serious. HYC and 562 had no authority to steal these containers in the first place, much less demand payment for illegally retaining them thereafter and incurring more charges from the carriers and terminal to pile on in an effort to force OJC to comply with your blackmail.

Therefore, I hereby demand that you immediately deliver all of these containers within 24 hours. Failure to do so will force OJC to file felony criminal charges with the proper state and federal authorities. OJC will also notify all ports and terminals of your criminal activity. Plus, OJC will pursue its legal rights to the fullest extent of the law, which include but are not limited to claims for treble damages for civil theft, fraud,



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conspiracy, conversion, unfair and deceptive trade practices, compensatory and punitive damages in the millions of dollars, and all of OJC's attorneys' fees and costs. *See Triton Container International Ltd. v. Cosvogiannis*, Civil Case No. 04-21241 (S.D. Fla. 2005) (entering two judgments for a combined total of over \$2Million against defendants for conversion, civil theft, treble damages, and attorneys' fees and costs related to the theft of shipping containers).

Best regards,
Shlomo Y Hecht, Esq.

Exhibit (A)

Cargo Tracking List

*Cargo tracking information is for reference only. Wan Hai reserves the right to amend the relevant information.

More detail	Ctnr No.	Ctnr ISO	BL no.	Status Name	Ctnr Date	Ctnr Depot Name	Place Name	Voy No	Vessel Name	More History
More Detail	WHSU6872630	45G1	025C795552	Full container withdrawn by consignee from Pier/Terminal	2022/12/14 19:11	Pacific Container Terminal		E001	WAN HAI A07	More History
More Detail	WHSU6598895	45G1	025C785586	Full container withdrawn by consignee from Pier/Terminal	2022/12/14 16:03	Pacific Container Terminal		E001	WAN HAI A07	More History
More Detail	FBLU0221540	45G1	028C507246	Full container withdrawn by consignee from Pier/Terminal	2022/12/13 14:55	Shipper' s Transport Carson		E001	WAN HAI A07	More History
More Detail	UETU5851068	45G1	028C507246	Full container withdrawn by consignee from Pier/Terminal	2022/12/13 15:12	Shipper' s Transport Carson		E001	WAN HAI A07	More History
More Detail	WHSU5838796	45G1	028C507246	Full container withdrawn by consignee from Pier/Terminal	2022/12/14 13:03	Shipper' s Transport Carson		E001	WAN HAI A07	More History

Results 4

① Hover over the highlighted columns for additional information (e.g. Ready for Delivery)

	Container ID	Bill Of Lading	Ready for delivery?	Line	Vessel name	Vessel ETA	Discharge Date	Yard Location	Freight	Customs	Holds	Good Thru	Demurrage	Size / Type / Height	Weight	Hazardous	Appointment date	Gate Out Date
<input type="checkbox"/>	FSCU6621030	X4115218	⊗	DEPARTED	MSC	MAERSK ESSEX	12/09/22 05:00	12/11/22 20:51	COMMUNITY - OUT	RELEASED	RELEASED			40/GP/96	23281.0		12/13/22 18:00	12/13/22 20:08
<input type="checkbox"/>	GLDU7208342	X4106258	⊗	DEPARTED	MSC	MAERSK ESSEX	12/09/22 05:00	12/11/22 00:57	COMMUNITY - OUT	RELEASED	RELEASED			40/GP/96	18872.0		12/13/22 20:00	12/14/22 00:36
<input type="checkbox"/>	MSMU5351302	X4115200	⊗	DEPARTED	MSC	MAERSK ESSEX	12/09/22 05:00	12/11/22 01:24	COMMUNITY - OUT	RELEASED	RELEASED			40/GP/96	18144.0		12/14/22 15:00	12/14/22 14:55
<input type="checkbox"/>	FSCU8375189	X4115200	⊗	DEPARTED	MSC	MAERSK ESSEX	12/09/22 05:00	12/11/22 00:35	COMMUNITY - OUT	RELEASED	RELEASED			40/GP/96	20723.0		12/14/22 15:00	12/14/22 15:40

Exhibit (B)

From: Jacob Weiss
Sent: Wednesday, December 14, 2022 4:38 PM
To: trucking <trucking@hyclogistics.com>; Karen Fernandez <karen@hyclogistics.com>; Uri Silver <uri@hyclogistics.com>; Itamar Aronov <itamar@hyclogistics.com>; melwin562expressinc@gmail.com; Dayana Diaz <dayana562expressinc@gmail.com>
Cc: Aslam Mohamed I <aslammohamed@ojcommerce.com>; Michael Jackson <michaelj@ojcommerce.com>; Sam Hecht <sam@hechtlawpa.com>
Subject: RE: Cancel/Halt Appointments
Importance: High

I have sent multiple emails (see below) with very clear instructions. YOU RAE COMPLETELY IGNORING and not responding. At this point grabbing OJC containers is criminal activity. I really hope I don't need to involve authorities.

Jacob Weiss

From: Jacob Weiss
Sent: Tuesday, December 13, 2022 5:53 PM
To: 'trucking' <trucking@hyclogistics.com>; 'Karen Fernandez' <karen@hyclogistics.com>; 'Uri Silver' <uri@hyclogistics.com>; 'Itamar Aronov' <itamar@hyclogistics.com>
Cc: Aslam Mohamed I <aslammohamed@ojcommerce.com>; Michael Jackson <michaelj@ojcommerce.com>; Sam Hecht <sam@hechtlawpa.com>
Subject: RE: Cancel/Halt Appointments

Dear HYC Team.

You are hereby advised not to pick up any containers from OJCommerce at any port or terminal. Any authority previously given for such pickups, is hereby revoked. In addition, failure by HYC to cancel immediately any pending appointments may result in delays, additional demurrage charges, and/or other fees, for which you will be held fully responsible.

Govern yourself accordingly,

Jacob Weiss

From: Jacob Weiss
Sent: Tuesday, December 13, 2022 4:00 PM
To: Michael Jackson <michaelj@ojcommerce.com>; 'trucking' <trucking@hyclogistics.com>; 'Karen Fernandez' <karen@hyclogistics.com>
Cc: 'Uri Silver' <uri@hyclogistics.com>; Aslam Mohamed I <aslammohamed@ojcommerce.com>; 'Itamar Aronov' <itamar@hyclogistics.com>
Subject: RE: Cancel/Halt Appointments

Its now been 4 hours and we haven't received a response to our request, and the Google sheet has not been updated regarding the containers listed below. Again, I am asking for a quick update on cancelling all the appointments, so we can secure our own and avoid any additional fees, delaying the response will most likely result in fees that we would need to collect from HYC.

Jacob

From: Jacob Weiss
Sent: Tuesday, December 13, 2022 1:32 PM
To: Michael Jackson <michaelj@ojcommerce.com>; 'trucking' <trucking@hyclogistics.com>; Karen Fernandez <karen@hyclogistics.com>
Cc: 'Uri Silver' <uri@hyclogistics.com>; Aslam Mohamed I <aslammohamed@ojcommerce.com>; 'Itamar Aronov' <itamar@hyclogistics.com>
Subject: RE: Cancel/Halt Appointments
Importance: High

@HYC Team,

It appears my access to the Google doc with all information about OJC Containers has been removed.

Please advise on our request to cancel ALL pending appointments so we can secure our own. This request has now been pending for 1.5 hours with NO RESPONSE. Further delay may result in OJC incurring unexpected fees at the terminal, as appointments might not be available.

Please be on notice that any fees occurring as a result, will fully be the responsibility of HYC.

Thanks,

Jacob Weiss

From: Jacob Weiss
Sent: Tuesday, December 13, 2022 12:23 PM
To: Michael Jackson <michaelj@ojcommerce.com>; trucking <trucking@hyclogistics.com>
Cc: Uri Silver <uri@hyclogistics.com>; Aslam Mohamed I <aslammohamed@ojcommerce.com>; Itamar Aronov <itamar@hyclogistics.com>

Subject: RE: Cancel/Halt Appointments
Importance: High

Below 10 containers show on your sheet as some having appointments and LFD within the next 3 days. Please cancel all open appointments and confirm so we can rebook.

WHSU6872630
FSCU6621030
WHSU6598895
GLDU7208342
MSMU5351302
FSCU8375189
FBLU0221540
UETU5851068
WHSU5223430
WHSU5838796

From: Michael Jackson <michaelj@ojcommerce.com>
Sent: Tuesday, December 13, 2022 11:59 AM
To: trucking <trucking@hyclogistics.com>
Cc: Uri Silver <uri@hyclogistics.com>; Jacob Weiss <jacob@ojcommerce.com>; Aslam Mohamed I <aslam mohamed@ojcommerce.com>; Itamar Aronov <itamar@hyclogistics.com>
Subject: Cancel/Halt Appointments

Hi HYC Team,

We would like to request you to kindly cancel all pick-up appointments scheduled and kindly confirm the same within an hour. Please also halt any further scheduling of appointments. OJC will pay for return of the picked empty containers that are currently being handled by HYC.

Thank you.

Regards,

Michael

Exhibit (C)

From: Eli Schechter <eli@hyclogistics.com>
Sent: Thursday, December 15, 2022 3:54 PM
To: Simon Hecht <simon@ojcommerce.com>; Accounting <accounting@ojcommerce.com>; Jacob Weiss <jacob@ojcommerce.com>; Michael Jackson <michaelj@ojcommerce.com>; Aslam Mohamed I <aslammohamed@ojcommerce.com>
Cc: AR <AR@hyclogistics.com>; Itamar Aronov <itamar@hyclogistics.com>
Subject: ***Urgent payment required account COD***

Hello Jacob,

Your account with HYC is on COD.

The amount of **\$307,310.00** is due immediately.

All containers are on hold until the account is paid in full.

OJ COMMERCE will be responsible for any additional charges for chassis, per diem etc. due to delay in payment.

After the account is paid in full, the containers on hold are on COD basis, and must be paid in advance of delivery.

Please be advised as per attached T&C #14, HYC is hereby notifying you that if all monies owed HYC are not paid within 30 days, HYC intends to exercise our lien on your merchandise in the containers and sell them and use the proceeds to pay off outstanding balances.

Eli Schechter

HYC Logistics Inc.

Accounting Dept

eli@hyclogistics.com

908-460-6205

3 attachments



STATEMENT OF ACCOUNT - OJ COMMERCE LLC (OJCOMMPEF) - USD.PDF
3048K



TC of Service - OJ COMMERCE.pdf
820K



STATEMENT OF ACCOUNT - OJ COMMERCE LLC (OJCOMMPEF) - USD -.xlsx
14099K